



MASSACHUSETTS FAIR HOUSING CENTER

June 13, 2019

Via Email

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Re: *Request for Fee Waiver – FOIA Request #EPA-HQ-2019-005675*

Dear Gentilepersons:

By this letter, I request a waiver of fees associated with FOIA request #EPA-HQ-2019-005675, as amended and resubmitted on June 13, 2019. This FOIA request is being submitted concurrently by our legal counsel, Brancart & Brancart.

40 C.F.R. Section 2.107(l) permits EPA to waive or reduce fees if doing so would serve the public interest and is not primarily in the commercial interest of the requester. CFR § 2.107(l). Here, the requester is a non-profit organization that serves the public interest of investigating and eradicating unlawful housing discrimination in the Commonwealth of Massachusetts. We seek documents that are within the possession of EPA that may be helpful in our ongoing investigation of the Massachusetts Lead Poisoning Prevention Act. This matter directly affects the health, safety, welfare and legal rights of low-income renters, especially families with young children. Each of the documents and records I have requested specifically concern EPA oversight and assessment of the Commonwealth of Massachusetts' state programs for lead abatement, which constitutes a direct and clear connection between the content of the records requested and Federal governmental operations and activities.

These records are not being sought for any personal or commercial benefit. If provided, the requested records will be disseminated to a reasonably broad audience of interested persons, including associated legal counsel, and the general public insofar as the records may be incorporated into public pleadings and media



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reports. The requested information is not already in the public domain. Release of these records would contribute substantially to public understanding of EPA oversight of a state lead abatement program.

“A fee waiver or reduction is justified where the public interest standard is satisfied and that public interest is greater in magnitude than that of any identified commercial interest in disclosure.” CFR CFR § 2.107(1)(3)(ii). As this letter indicates, these records are requested exclusively in the public interest. Therefore it would be appropriate for EPA to waive any costs and fees associated with FOIA Request #EPA-HQ-2019-005675.

Please contact me by email if you have any questions or require any additional information. Thank you.

MERIS BERGQUIST / KB

Meris Bergquist,
Executive Director, MFHC